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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,111	01/10/2002	Richard Edmond Berry	AUS920010994US1	2389

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EXAMINER
NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
2161	

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Duke W. Yee
Carstens, Yee & Cahoon, LLP
P.O. Box 802334
Dallas, TX 75380

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	10/045,111	BERRY, RICHARD EDMOND	
	Examin r	Art Unit	
	CamLinh Nguyen	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendments to claims 1 – 46 are acknowledged. Consequently, claims 1 – 46 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1 – 15, 20 – 22, 24 – 38, 43 - 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass et al (U.S. 6,253,204 B1) in view of Jakob Nielsen (U.S. 6,658,662 B1).

♦ As per claims 1, 8, 13, 20 – 22, 24, 31, 36, 43 – 45,

Class et al discloses a method in a data processing system for pruning search engine indices, comprising:

- " Receiving a notification by a search engine from a client browser that a Web page retrieval error occurred for a Web page or that the Web page no longer contains selected keywords" See Fig. 2 – 3, col. 4, lines 24 – col. 5, lines 20. In particular, Glass teaches that a user requests a document such as "document 1" from the Web. The request that contains "document 1" is inputted to the browser. Therefore, "document1" corresponds to a keyword. After that "document 2" is also another keyword, when the user tries to retrieve it. The user is notified if the file is not found, and the browser automatically generates a message to send to the server (fig. 3, step 340). Glass also teaches that a

spider can be utilized (see the abstract). By definition of Microsoft Computer dictionary, Fifth Edition, the term "spider" is an automated program that searches the Internet for documents and indexes their addresses and content related information in a database and also called search engine or crawler. Therefore, this spider is considered equivalent with the "search engine" in the instant application. Since it is a program, the spider can be located in the server side of the system or client side or in the middle such as central system to search for information in the network. A client reports the broken link to the server in which a spider located (as discussed above) (see col. 7, lines 15 – 16, 57 - 59). Glass teaches that the server will modify the broken link in order to restore the link.

Glass does not clearly teach that the system will "automatically deleting the Web page from the search engine indices in response to receiving the notification". However, Jakob Nielsen discloses a retrieving information system that allows a user view a website at a remote server (col. 8, lines 7 – 8). As seen in Fig. 4B, a URL list is generated and the system attempts to connect with a website server. The system has a capability of deleting the URL if an error occurs (col. 8, lines 65 – col. 9, lines 3). One with skill in the art would recognize that the list could be represented as an index in the search engine.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system of Glass by apply the teaching of Nielsen for deleting the web page if not found because the combination would reduce the time/cost searching for other user in later time.

- As per claims 2, 9, 25, 32,

- " The step of automatically deleting is initiated if the notification results in a minimum number of notifications being received for the Web page" See Fig. 10, col. 6, lines 62 – col. 7, lines 4, Fig. 12A – B, col. 7, lines 13 - 48 of Glass.

♦ As per claims 3, 10, 26, 33, 37,

- " Receiving a search request from the client browser, wherein the search request contains the selected keywords" See Fig. 2, element 200, col.4, lines 25 – 35, Glass.
- " Searching the search engine indices for matches to the selected keywords to form a search" See Fig. 2, element 210 – 20, Glass.
- " Sending a result of the search to the client browser" See Fig. 2, element 240, Glass.

♦ As per claims 4, 27,

- " The search result includes an indication that the data processing system includes a search engine to cause the client browser to send the notification to the data processing system" See Fig. 2, element 260, Fig. 3, Glass.

♦ As per claims 5, 28,

- " The search request includes other keywords in addition to the selected keywords" See Fig. 2 of Glass. The request that includes document 1 is an example of keywords. The document 1, may contains hypertext that identifies another document. This hypertext is also considered as another keyword that included in the search request.

♦ As per claims 6, 11, 14, 29, 34,

- " The retrieval error indicates that the Web page is absent" See col. 4, lines 40 – 55, Glass.

♦ As per claims 7, 12, 15, 30, 35, 38,

- " The method is located in one of a search engine or a Web portal" See Fig. 1D, Glass.

4. Claims 16 – 19, 23, 39 – 42, 46, are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass et al (U.S. 6,253,204) in view of Jakob Nielsen (U.S. 6,658,662) as applied to claims 1 - 15 above, and further in view of Li et al (U.S. 6,631,496).

♦ As per claims 16, 23, 39, 46

The combination of Glass and Nielsen disclose the limitation of determining an error in retrieving the web page, and removing the web page in response to the error. Glass and Nielsen fail to disclose a system for managing a set of bookmarks for browser. However, it is well known in the art, that a user can bookmark an URL for querying in the future. An example is provided by Li et al. Li discloses a system for personalizing and managing web information that includes a hypermedia database for managing bookmark, which allows a user to organize hypertext documents for querying (see the abstract of Li).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to bookmark an URL for later use because it allows the user the capability of managing favorite information without remember it.

♦ As per claims 17 - 19, 40 – 42,

Claims 17 – 19, 40 – 42, are rejected based on the rejection of claims 2 and 9.

Response to Arguments

5. Applicant's arguments filed 09/21/04 have been fully considered but they are not persuasive.

* Applicant argues that neither Glass nor Nielsen discloses or suggests a method for pruning search engine indices or "automatically deleting a web page from search engine indices (see page 14 of the Remark). The Examiner respectfully disagrees.

Referring to Fig. 4B element 440, col. 8, lines 65 – col. 9, lines 3, Nielsen clearly teaches that the URL is deleted if the error occurred.

* Applicant argues that there is no notification from a client browser to a search engine that a web page retrieved error has occurred (see page 15 of the Remark). The Examiner respectfully disagrees.

Referring to col. 7, lines 15 – 16, 57 – 59, Glass teaches that the client send a notification by message to the server reports that the error has occurred.

* In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Applicant argues that the combination between Glass and Nielsen would not teach the present invention (see page 17 of the Remark). The Examiner respectfully disagrees. Nielsen teaches a system that capable of delete an error, in this case is a URL or Web page from a list (or index). Therefore, the deleting process is done by the system itself and not by the end user.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

ALFORD KINDRED
PRIMARY EXAMINER